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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA6  
7 HAROLD E. MONTAQUE,

Case No. 3:25-cv-00250-ART-CSD

8 v.  
9

Plaintiff,

ORDER

10 ROYAL, *et al.*,11  
12 Defendants.  
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15 On May 22, 2025, pro se plaintiff Harold E. Montaque, an inmate in the custody of  
16 the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983  
17 and applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). Plaintiff's application to  
18 proceed *in forma pauperis* is incomplete because **Plaintiff did not sign at the bottom**  
19 **of the application declaring under penalty of perjury that the information in the**  
20 **application is true.** The Court will deny Plaintiff's application without prejudice and give  
21 Plaintiff the opportunity to correct this deficiency **by August 8, 2025.**

22 **I. DISCUSSION**

23 The United States District Court for the District of Nevada must collect filing fees  
24 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
25 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
26 administrative fee. See 28 U.S.C. § 1914(b). "Any person who is unable to prepay the  
27 fees in a civil case may apply to the court for leave to proceed *in forma pauperis.*" Nev.  
Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
must submit **all three** of the following documents to the Court: (1) a completed  
**Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
Court's approved form, that is properly signed by the inmate twice on page 3; (2) a  
completed **Financial Certificate**, which is page 4 of the Court's approved form, that is  
properly signed by both the inmate and a prison or jail official; and (3) a copy of the

1 inmate's prison or jail trust fund account statement for the previous six-month  
2 period. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
3 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
4 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

5 The Court will deny Plaintiff's application to proceed *in forma pauperis* without  
6 prejudice and grant Plaintiff an extension of time to either pay the filing fee or file a new  
7 fully complete application to proceed *in forma pauperis* with all three required documents.

8 **II. CONCLUSION**

9 It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 1)  
10 is denied without prejudice.

11 It is further ordered that Plaintiff has **until August 8, 2025**, to either pay the full  
12 \$405 filing fee or file a new fully complete application to proceed *in forma pauperis* with  
13 all three required documents: (1) a completed application with the inmate's two signatures  
14 on page 3, (2) a completed financial certificate that is signed both by the inmate and the  
15 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the  
16 previous six-month period.

17 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
18 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
19 to refile the case with the Court, under a new case number, when Plaintiff can file a  
20 complete application to proceed *in forma pauperis* or pay the required filing fee.

21 The Clerk of the Court is directed to send Plaintiff Harold E. Montague the  
22 approved form application to proceed *in forma pauperis* for an inmate and instructions for  
23 the same and retain the complaint (ECF No.1) but not file it at this time.

25 DATED: June 10, 2025.

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UNITED STATES MAGISTRATE JUDGE